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FPL Group, Inc., P. O. Box 14000, Juno Beach, Florida 33408-0420 (561) 694-4000

Via FedEx

January 31, 2003

Dockets Management System
U.S. Department of Transportation
Room PL 401
400 Seventh Street, SW
Washington, DC 20590-0001

Re: Comments - Proposed Rule
Docket Number RSPA-2002-13658 (HM-215E)-27

03 FEB - 3 AM 9:14

DEPT. OF TRANSPORTATION
DOCKETS

Dear Sir/Madam:

On behalf of FPL Group, I am submitting this letter to provide a written comment to the Research and Special Programs Administration ("RSPA") regarding the proposed rule dated December 3, 2002 entitled "Harmonization with the United Nations Recommendations, International Maritime, Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions." FPL Group, with its principal electric utility subsidiary, Florida Power and Light Company ("FPL"), serves more than seven million people along the eastern seaboard and the southern portion of Florida. FPL Energy LLC is FPL Group's unregulated energy generating subsidiary that owns and operates power plants within 12 states producing more than 6,000 megawatts. FPL Group also maintains a fleet of approximately 1,200 vehicles, and operates over 90 separate company facilities that mainly ship small amounts of non-bulk hazardous materials not requiring placards. FPL Group does not ship or transport any hazardous materials outside the United States.

FPL Group is offering the following comment.

The proposed rule indicates that RSPA is proposing to make it mandatory for shippers to indicate on shipping papers the types of packages, such as drums, boxes, jerricans, etc. being used to transport hazardous materials by all modes of transportation. This requirement would cause some confusion in determining the type of package to list on a shipping paper when shipping hazardous materials in packages that do not meet specification packaging requirements. This includes items such as wet acid-filled batteries being transported on pallets, and hazardous materials transported in machinery and apparatuses. FPL Group, for example, ships large wet acid-filled batteries on pallets in accordance with 49 CFR 173.159(c). In addition, we occasionally ship mercury in manufactured articles in accordance with 49 CFR 173.222. Since hazardous materials are being shipped in their own receptacle, there would be some confusion on the required type of package to list on a shipping paper. Therefore, FPL Group recommends that RSPA clarify the required types of packages that can be used on a shipping paper for non-specification packages. Moreover, FPL Group recommends that RSPA consider allowing abbreviations for all the types of packages to conserve column space on the shipping paper.

FPL Group very much appreciates the opportunity to give our comments. If you have any questions, please do not hesitate to call me at (561) 691-7013.

Respectfully,

A handwritten signature in black ink, appearing to read "Frank Nesbihal". The signature is fluid and cursive, with a large initial "F" and a stylized "N".

Frank Nesbihal, CHMM
Senior Environmental Specialist

C: Diana Davis, Esq.
Bob Schomber
Al Gould
Katie O'Reilly
Roger Messer
Dan Rawson